

Commodity	Parts per million
Asparagus	0.1
Barley, grain	0.75
Barley, hay	7.0
Barley, pearled barley	3.0
Barley, straw	1.0
Carrot	0.3
Cattle, fat	0.7
Cattle, meat	0.7
Cattle, meat byproducts	0.7
Corn, field, forage	0.1
Corn, field, grain	0.05
Corn, field, stover	0.1
Corn, pop, grain	0.05
Corn, sweet, forage	0.1
Corn, sweet, kernel plus cob with husks removed	0.05
Corn, sweet, stover	0.1
Egg	0.01
Goat, fat	0.7
Goat, meat	0.7
Goat, meat byproducts	0.7
Grass, forage	2.0
Grass, hay	7.0
Hog, fat	0.7
Hog, meat	0.7
Hog, meat byproducts	0.7
Horse, fat	0.7
Horse, meat	0.7
Horse, meat byproducts	0.7
Lentil	0.05
Milk	0.05
Pea, dry, seed	0.05
Pea, field, hay	4.0
Pea, field, vines	0.5
Pea, succulent	0.1
Potato	0.6
Potato, chips	3.0
Potato, processed potato waste	3.0
Potato waste, processed (dried)	3.0
Poultry, fat	0.7
Poultry, meat	0.7
Poultry, meat byproducts	0.7
Sainfoin, forage	2.0
Sainfoin, hay	7.0
Sheep, fat	0.7
Sheep, meat	0.7
Sheep, meat byproducts	0.7
Soybean, seed	0.3
Soybean, forage	4.0
Soybean, hay	4.0
Sugarcane	0.1
Sugarcane, molasses	2.0
Tomato	0.1
Wheat, bran	3.0
Wheat, forage	2.0
Wheat, germ	3.0
Wheat, grain	0.75
Wheat, hay	7.0
Wheat, middlings	3.0
Wheat, shorts	3.0
Wheat, straw	1.0

\* \* \* \* \*

6. Section 180.361 is amended by alphabetically adding the commodity "garlic" in paragraph (c) to the table in paragraph (a), by revising paragraph (a), and removing the remaining text from paragraph (c) and reserving it to read as follows:

**§ 180.361 Pendimethalin; tolerances for residues.**

(a) *General.* \* \* \*

Commodity	Parts per million
Bean, lima, seed	0.1
Bean, lima, succulent	0.1
Bean, forage	0.1
Bean, hay	0.1
Corn, field, forage	0.1
Corn, field, grain	0.1
Corn, field, stover	0.1
Corn, pop, grain	0.1
Corn, sweet, forage	0.1
Corn, sweet, kernel plus cob with husks removed	0.1
Corn, sweet, stover	0.1
Cotton, undelinted seed	0.1
Garlic	0.1
Onion, dry bulb	0.1
Pea, succulent	0.1
Peanut	0.1
Peanut, hay	0.1
Potato	0.1
Rice, grain	0.1
Rice, straw	0.1
Sorghum, forage	0.1
Sorghum, grain, grain	0.1
Sorghum, grain, stover	0.1
Soybean, forage	0.1
Soybean, hay	0.1
Soybean, seed	0.1
Sugarcane	0.1
Sunflower, seed	0.1

\* \* \* \* \*

(c) *Tolerances with regional registrations.* [Reserved]

\* \* \* \* \*

**§ 180.542 [Removed]**

7. Section 180.542 is removed.

[FR Doc. 01-30103 Filed 12-4-01; 8:45 am]

BILLING CODE 6560-50-S

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

[DA 01-2734; MM Docket No. 01-178; RM-10195]

**Radio Broadcasting Services; Wadley, GA**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** In response to a *Notice of Proposed Rule Making*, 66 FR 42622 (August 14, 2001), this document allots Channel 227A to Wadley, Georgia, and provides Wadley with its first local aural transmission service. The coordinates for Channel 227A at Wadley are 32-52-00 North Latitude and 82-24-15 West Longitude.

**DATES:** Effective January 7, 2002.

**FOR FURTHER INFORMATION CONTACT:** R. Barthen Gorman, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MM Docket No. 01-178, adopted November 14, 2001, and released November 23, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, 44512th Street, SW, Room CY-A257, Washington, DC, 20554. The document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW, Room CY-B402, Washington, DC, 20554, telephone 202 863-2893, facsimile 202 863-2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—RADIO BROADCAST SERVICES**

1. The authority citation for Part 73 reads as follows:

**Authority:** 47 U.S.C. 154, 303, 334, and 336.

**§ 73.202 [Amended]**

2. Section 73.202(b), the Table of FM Allotments under Georgia, is amended by adding Wadley, Channel 227A.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-30088 Filed 12-4-01; 8:45 am]

BILLING CODE 6712-01-P

**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**50 CFR Parts 600 and 660**

[Docket No. 001226367-0367-01; I.D. 111901C]

**Fisheries off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Trip Limit Adjustment for Dover Sole in the Limited Entry Trawl Fishery**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Inseason adjustment; request for comments.

**SUMMARY:** NMFS announces a 1,000 lb (454 kg)/trip limit of Dover sole in the limited entry trawl fishery coastwide for the month of December. This action, which is authorized by the Pacific Coast Groundfish Fishery Management Plan (FMP) and its implementing regulations, is within the 2001 optimum yield (OY) for Dover sole and is intended to allow landings of Dover sole caught incidentally in other flatfish fisheries.

**DATES:** Changes to management measures are effective 0001 hours local time December 1, 2001, unless modified, superseded, or rescinded through the effective dates of the 2002 specifications and management measures for the Pacific Coast groundfish fishery, which will be published in the **Federal Register**. Comments on this rule will be accepted through December 20, 2001.

**ADDRESSES:** Submit comments to D. Robert Lohn, Administrator, Northwest Region, NMFS, 7600 Sand Point Way NE, Seattle, WA 98115-0070; or to Rod McLinnis, Acting Administrator, Southwest Region, NMFS, 501 West Ocean Blvd, Suite 4200, Long Beach, CA 90802-4213.

**FOR FURTHER INFORMATION CONTACT:** Yvonne deReynier or Jamie Goen, Northwest Region, NMFS, 206-526-6140.

#### **SUPPLEMENTARY INFORMATION:**

##### **Electronic Access**

This **Federal Register** document is also accessible via the internet at the website of the Office of the Federal Register: <http://www.access.gpo.gov/su-docs/aces/aces140.html>.

The Pacific Coast Groundfish FMP and its implementing regulations at 50 CFR part 660, subpart G, regulate fishing for over 80 species of groundfish off the coasts of Washington, Oregon, and California. Annual groundfish specifications and management measures are initially developed by the Pacific Fishery Management Council (Council) and are implemented by NMFS. The specifications and management measures for the current fishing year (January 1 through December 31, 2001) were published at 66 FR 2338, January 11, 2001, as

amended at 66 FR 10208 (February 14, 2001), at 66 FR 18409 (April 9, 2001), at 66 FR 22467 (May 4, 2001), at 66 FR 28676 (May 24, 2001), at 66 FR 35388 (July 5, 2001), at 66 FR 38162 (July 23, 2001), at 66 FR 50851 (October 5, 2001), at 66 FR 54721 (October 30, 2001), and at 66 FR 55599 (November 2, 2001).

Among the more than 80 species managed under the FMP are Dover sole, thornyheads, sablefish, and flatfish (flatfish is used in this document to mean all flatfish listed at 50 CFR 660.302, except Dover sole). In the trawl fishery, Dover sole is targeted along with thornyheads and sablefish. Because these species are targeted together with trawl gear, they are managed as part of a multi-species complex consisting of Dover sole, thornyheads (shortspine and longspine), and sablefish, known as the DTS complex. In addition to the directed fishery for the DTS complex, Dover sole is also caught incidentally in other flatfish trawl fisheries on the continental shelf and slope.

Through August 2001, the best available information from PacFIN indicated that the DTS complex was approaching the commercial landed catch OY for 3 of 4 species, Dover sole (92 percent), trawl-caught sablefish (89 percent) and shortspine thornyhead (79.7 percent). Based on recommendations from the Council's September meeting, NMFS closed the limited entry trawl directed fishery for the DTS complex, including Dover sole, from October 2, 2001, through the effective date for the 2002 specifications and management measures in order to avoid exceeding the target landed catch OY of Dover sole, sablefish and shortspine thornyhead (66 FR 50851, October 5, 2001). However, other flatfish trawl fisheries, such as Petrale sole and arrowtooth flounder, have remained open since September. Thus, while it has been illegal to land Dover sole and any DTS complex species caught with trawl gear since October 2, 2001, Dover sole is still caught as bycatch in the other flatfish fisheries that have remained open and is assumed to be discarded. This discard is accounted for in calculating total catch by applying a discard rate recommended by the Council based on a trawl logbook

analysis of the incidental catch of Dover sole in other flatfish fisheries.

PacFIN data have been updated since the September Council meeting. The best available information indicates that 93 percent of the Dover sole allocation had been taken through October 31, 2001, leaving 515 mt of the Dover sole OY available for harvest. In order to account for the Dover sole caught incidentally in the winter flatfish fisheries, the Council recommended at its October 29 through November 2, 2001, meeting in Millbrae, CA, to allow a 1,000 lb (454 kg)/trip limit of Dover sole in December for the limited entry trawl fleet. This action would allow vessels to retain Dover sole that would otherwise have been incidentally harvested and discarded. Allowing the incidental retention of Dover sole in the flatfish fisheries is not expected to increase incidental interception of sablefish and shortspine thornyhead because flatfish trawling requires different fishing techniques and occurs in different fishing grounds than in the directed DTS trawl fisheries. Taking into account the number of vessels and trips per vessel by other flatfish fisheries over the past 3 years during the month of December, opening up this trip limit for incidentally caught Dover sole is expected to add another 200 to 300 mt to the landed catch OY, well within the approximately 500 mt of remaining OY.

#### **NMFS Actions**

NMFS concurs with the Council's recommendation and hereby announces a trip limit for the limited entry trawl fishery coastwide of 1,000 lb (454 kg)/trip of Dover sole from December 1, 2001, through the effective date of the 2002 specifications and management measures for the Pacific Coast groundfish fishery. This trip limit is intended to allow for Dover sole caught incidentally in other flatfish trawl fisheries.

Accordingly, at 66 FR 2338, January 11, 2001, as subsequently amended, in Section IV, under B. Limited Entry Fishery, Table 3 is revised to read as follows:

#### **IV. NMFS Actions**

##### *B. Limited Entry Fishery*

\* \* \* \* \*

**Table 3. 2001 Trip Limits 1/ and Gear Requirements 2/ for Limited Entry Trawl Gear**  
**Read Section IV.A. NMFS Actions before using this table.**

line	Species/groups	JAN-FEB	MAR-APR	MAY-JUN	JUL-AUG	SEP-OCT	NOV-DEC
1	Minor slope rockfish						
2	North		1,500 lb/ 2 months		2,000 lb/ 2 months		Closed Starting Oct
3	South		14,000 lb/ 2 months			25,000 lb/ 2 months	
4	Splitnose - South	8,500 lb/ 2 months		14,000 lb/ 2 months		25,000 lb/ 2 months	
5	Pacific ocean perch <sup>3/</sup>	1,500 lb/month		2,500 lb/month			Closed Starting Oct
6	DTS complex - North						
7	Sablefish	5,000 lb/ 2 months			14,000 lb/ 2 months		
8	Longspine thornyhead	6,000 lb/ 2 months			6,000 lb/ 2 months		Closed Starting Oct
9	Shortspine thornyhead	1,500 lb/ 2 months			1,500 lb/ 2 months		
10	Dover sole	65,000 lb/ 2 months		20,000 lb/ 2 months	15,000 lb/ 2 months	7,500 lb/month	Closed Oct-Nov 1,000 lb/trip
11	DTS complex - South						
12	Sablefish	8,000 lb/ 2 months			11,000 lb/ 2 months		
13	Longspine thornyhead	6,000 lb/ 2 months					Closed Starting Oct
14	Shortspine thornyhead	1,500 lb/ 2 months			1,500 lb/ 2 months		
15	Dover sole		35,000 lb/ 2 months		30,000 lb/ 2 months	15,000 lb/month	Closed Oct-Nov 1,000 lb/trip
16	Flatfish - North						
17	Arrowtooth flounder	20,000 lb/trip				Small and large footrope: 5,000 lb/trip, not to exceed 30,000 lb/mo	
18	Rex Sole	No Limit				No Limit	
19	Petrale Sole	No Restriction				Small footrope: 45,000 lb/mo, of which no more than 15,000 lb may be petrale sole	
20	All other flatfish <sup>3/</sup>	Small footrope: no limit; Large footrope: 1,000 lb/trip		Small footrope: 50,000 lb/mo, of which no more than 15,000 lb may be petrale sole and 10,000 lb may be arrowtooth; Large footrope: arrowtooth, 15,000 lb/trip for May and 5,000 lb/trip for June; petrale sole prohibited; rex included in all other flatfish; all other flatfish 1,000 lb/trip.	Small footrope: 45,000 lb/mo, of which no more than 15,000 lb may be petrale sole; arrowtooth 7,500 lb/trip not to exceed 30,000 lb/mo. Large footrope: arrowtooth 5,000 lb/trip not to exceed 30,000 lb/mo; petrale sole 100 lb/trip; rex included in all other flatfish; all other flatfish 1,000 lb/trip.	Small and large footrope: 30,000 lb/mo	
21	Flatfish - South						
22	Arrowtooth flounder	20,000 lb/trip		Small footrope: no limit; Large footrope: 5,000 lb/trip		Small and large footrope: 5,000 lb/trip, not to exceed 30,000 lb/mo	
23	Rex Sole			No Limit			
24	Petrale Sole	No Restriction		Small footrope: no limit; Large footrope: included in "all other flatfish"		Small footrope: 45,000 lb/mo, of which no more than 15,000 lb may be petrale sole	Small and large footrope: 30,000 lb/mo
25	All other flatfish <sup>3/</sup>			Small footrope: no limit; Large footrope: 1,000 lb/trip		Large footrope: all other flatfish 1,000 lb/trip, of which no more than 100 lb/trip may be petrale sole	Small footrope: 30,000 lb/mo; Large footrope: 1,000 lb/trip
26	Whiting shoreside <sup>4/</sup>	20,000 lb/trip			Primary Season		20,000 lb/trip
27	Use of small footrope bottom trawl <sup>5/</sup> or midwater trawl required for landing all of the following species:						
28	Minor shelf rockfish						
29	North	300 lb/month			1,000 lb/month		300 lb/month
30	South	500 lb/month			1,000 lb/month		500 lb/month
31	Canary rockfish	100 lb/month			300 lb/month		Closed Starting Oct
32	Widow rockfish						
33	mid-water trawl	20,000 lb/ 2 months		10,000 lb/ 2 months	Jul-Oct, in trips where 10,000 lb or more of whiting are landed, 2,000 lb/mo, with a combined widow/yellowtail limit of 500 lb/trip, otherwise 1,000 lb/mo.		25,000 lb/ 2 months
34	small footrope trawl				1,000 lb/month		
35	Yellowtail - North <sup>6/</sup>						
36	mid-water trawl	30,000 lb/ 2 months		15,000 lb/ 2 months	Jul-Oct, trips where 10,000 lb or more of whiting are landed, 3,000 lb/mo with combined widow/yellowtail limit of 500 lb/trip, otherwise 1,500 lb/mo.		15,000 lb/ 2 months
37	small footrope trawl	Without flatfish, 1,500 lb/mo. As flatfish bycatch, per trip limit is the sum of 33% (by weight) of all flatfish except arrowtooth flounder, plus 10% (by weight) of arrowtooth flounder, not to exceed 2,500 lb/trip and 30,000 lb/ 2 months.		Without flatfish, 1,500 lb/mo. As flatfish bycatch, per trip limit is the sum of 33% (by weight) of all flatfish except arrowtooth flounder, plus 10% (by weight) of arrowtooth flounder, not to exceed 7,500 lb/trip and not to exceed 15,000 lb/ 2 months.			
38	Bocaccio - South <sup>6/</sup>	300 lb/month			500 lb/month		Closed Starting Oct
39	Chilipepper - South <sup>6/</sup>						
40	mid-water trawl				25,000 lb/ 2 months		
41	small footrope trawl				7,500 lb/ 2 months		5,000 lb/ 2 months
42	Cowcod				Retention is Prohibited		
43	Minor nearshore rockfish						
44	North				200 lb/month		
45	South				200 lb/month		
46	Lingcod <sup>7/</sup>	No retention			400 lb/month	500 lb/month	Closed Starting Nov

1/ Trip limits apply coastwide unless otherwise specified. "North" means 40°10' N. lat. to the U.S.-Canada border.

"South" means 40°10' N. lat. To the U.S.-Mexico border. 40°10' N. lat. is about 20 nm south of Cape Mendocino, CA.

2/ Gear requirements and prohibitions are explained at paragraph IV.A.(14).

3/ "Other" flatfish means all flatfish at 50 CFR 660.302 except those in this Table 3 with a trip limit.

4/ The whiting "per trip" limit in the Eureka area inside 100 fm is 10,000 lb/ trip throughout the year. See IV.B.(3)(c). The 20,000 lb/trip limit applies before and after the primary season.

5/ Small footrope trawl means a bottom trawl net with a footrope no larger than 8 inches (20 cm) in diameter.

Midwater gear also may be used; the footrope must be bare. See paragraph IV.A. (14).

6/ Yellowtail rockfish and POP in the south, and bocaccio, and chilipepper rockfishes in the north are included in the trip limits for minor shelf rockfish in the appropriate area (Table 2).

7/ The size limit for lingcod is 24 inches (61 cm) total length.

\* \* \* \* \*

**Classification**

This action is authorized by the regulations implementing the FMP and the annual specifications and management measures published at 66 FR 2338 (January 11, 2001), as amended at 66 FR 10208 (February 14, 2001), at 66 FR 18409 (April 9, 2001), at 66 FR 22467 (May 4, 2001), at 66 FR 28676 (May 24, 2001), at 66 FR 35388 (July 5, 2001), and 66 FR 38162 (July 23, 2001), at 66 FR 50851 (October 5, 2001), at 66 FR 54721 (October 30, 2001), and at 66 FR 55599 (November 2, 2001), and are based on the most recent data available.

The Assistant Administrator for Fisheries, NOAA, (AA) finds good cause to waive the requirement to provide prior notice and comment on this action pursuant to 5 U.S.C. 553(b)(B), as providing prior notice and opportunity for comment would be impracticable. It would be impracticable because the trip limit allowance is only effective for approximately the last 30 days of the fishing year. Dover sole is below its target landed catch OY for the 2001 fishing year, and any delay in action would not provide enough time for the fisheries to have access to the remaining Dover sole OY. Thus, any delay in action would unnecessarily restrict commercial fishers and impede NMFS's

responsibility under the FMP to manage groundfish fisheries to achieve OY.

For these reasons, good cause also exists to waive the 30-day delay in effectiveness requirement of 5 U.S.C. 553 (d)(3).

This action is taken under the authority of 50 CFR 660.323 (b)(1) and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: November 30, 2001.

**Jonathan M. Kurland,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 01-30112 Filed 11-30-01; 4:02 pm]

**BILLING CODE 3510-22-S**